REMARKS

Applicants respectfully request reconsideration of the present Application. Claims 1, 13, 15, 22, 25, and 29 have been amended herein. Claim 14 has been cancelled. Claims 1, 2-8, 10-11, 13, 15-19, 22, 25, 29 and 31 are pending and are in condition for allowance.

Rejections based on 35 U.S.C. § 101

Claims 1-8, 10, 11, and 25 were rejected under 35 U.S.C. 101 because a according to page 9, paragraph [0032] of the specification, a detector module, a nearby device list, and a user configuration authorization module are preferably configured as software framework. The specification has been amended at ¶¶ [0032] to read component instead of software component and to state that "The active components described above with respect to FIG. 3, are executed by a computing device…" Independent claim 1 was also amended to recite the functional hardware structure by "a detection module on the first participating device having a computer processor, storage and first user interface". Independent claim 25 was amended to recite the functional hardware structure by "a detection module on a first participating device having a computer processor and storage…"

Rejections based on 35 U.S.C. § 102

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdeggal Brothers v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the . . .

claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 2 USPQ 2d 1913, 1920 (Fed. Cir. 1989). *See also*, MPEP § 2131.

Claims 1-8, 10, 11, 13-19, 22, 25, 29, and 31 were rejected under 35 U.S.C. 102(e) as being anticipated by Aholainen, et al. U.S. Patent No. 7,102,640 (hereinafter the "Aholainen reference"). Claim 14 has been canceled by way of the present amendments and thus the rejection of this claim has been rendered moot. As the Aholainen reference fails to describe, either expressly or inherently, each and every element as set forth in the claims as amended, Applicant respectfully traverse these rejections, as hereinafter set forth.

The Aholainen reference is directed to a method that gives a user rapid notice of Bluetooth devices within communication range and selectively blocks any notice about Bluetooth devices that the user wishes to ignore. See, *Aholainen reference*, Abstract.

The Aholainen reference does not describe the computer system of amended independent claim 1 as supported by ¶¶ [0034] of the current application. The Aholainen reference does not describe the system comprising utilizing the proximity detection to generate a dynamically updated list of detected nearby devices within the first participating device's immediate environment, wherein the list of detected nearby devices includes a record of all participating devices detected by the detection module to be close in physical space and their respective locations. The Aholainen reference does not store a record in the detected icon buffer for all detected devices. "... When a CoD value is received in an FHS packet, it is compared with the prohibited CoD values and if there is a match, no entry is made in the detected icon buffer, thereby ignoring the prohibited server devices." See, *Aholainen reference*, Col. 5 lines 21 to 30.

The Aholainen reference does not store the location within the proximity of the first participating device for each detected nearby device. As recited by amended independent claim 1, the proximity of the nearby detected device within the first participating device's immediate environment is close in physical space. Therefore, the location within the proximity of the first participating device is a physical location close in physical space to the first participating device. Support can be found at ¶¶ [0053] of the current application. The Aholainen reference describes storing in the detected icon buffer, the (X, Y) coordinates of the displayed location of the icon on a screen. See, *Aholainen reference*, Col. 3 line 67 to Col. 4, line 5 and Col. 10 lines 11 to 12. These coordinates represent the location of the icon on the screen not the physical location of the detected nearby device within the proximity of the first participating device.

The Aholainen reference does not disclose "a user-configurable authorization module on the first participating device for authorizing the first participating device to adjust a first device user interface in a predetermined manner to display contents of a second device user interface in response to the detection of the second participating device". While the Aholainen reference describes the user being able to block notice about devices that the user wishes to ignore by entering the prohibited CoD in the blocking filter table buffer, the Aholainen reference does not explicitly disclose the detected icon buffer which authorizes the display of icons of detected devices being user configurable. The user may enter CoD values for types of server devices or services to be ignored. These prohibited CoD values are stored in a blocking filter table buffer in the client device. When a CoD value is received, it is compared with the prohibited CoD values in the blocking filter buffer. If there is a match, no entry is made in the detected icon buffer. See, *Aholainen reference*, Col. 5 lines 21 to 30. Since no entry is made to

the detected icon buffer by the user then the detected icon buffer is not user configurable. Furthermore, if the detected icon buffer authorizes the display of an icon which the user finds annoying, the user must manually remove the icon from the display. The user does not configure the detected icon buffer in this case either.

The detected icon buffer authorizes the display of the icons of non-prohibited devices. The Aholainen reference does not describe authorizing the first participating device to adjust a first user interface in a predetermined manner to display contents of a second device user interface. As the Aholainen reference describes, in response to detecting a device, an icon representing the device is displayed. The "icon is a small, graphic bitmap that is displayed on the screen of the client device, having an appearance that serves to describe the service that the server device has to offer. Alternately, the icon can also serve to identify characteristics of the user of the server device, such as business-related or personal characteristics". See, *Aholainen reference*, Col. 2 line 66 to Col. 3 line 2.

The Aholainen reference does not describe the method of amended independent claim 13 as supported by ¶¶ [0034] of the current application. The Aholainen reference does not describe "maintaining, via a second computing process, a dynamically updated list of nearby devices within the device immediate environment for each device, wherein the list of detected nearby devices maintains a record of all participants detected to be in close physical space and their physical locations within the proximity of the first participating device". The Aholainen reference describes maintaining in the detected icon buffer, a list of icon for detected devices which are not prohibited by the blocking filter table buffer. See, *Aholainen reference*, Col. 5 lines 21 to 30. The detected icon buffer does not store icons for all participants detected to be in close physical space. Furthermore, the detected icon buffer does not store the physical location

of the detected nearby device within the proximity of the first participating device. The detected icon buffer stores the coordinates of the displayed location of the icon on a screen. See, *Aholainen reference*, Col. 3 line 67 to Col. 4, line 5 and Col. 10 lines 11 to 12.

The Aholainen reference does not disclose a method comprising "adjusting via a third computing process, a first device user interface to display contents of a second device user interface based on a user-configured rules set forth in the device authorization module in response to the detection of the participant, wherein the device authorization module identifies the device as one of a controlling device and a controlled device and resolves disputes between devices having an identical authorization status". The Aholainen reference adjusts the content of the client device to display an icon representing the server. See, *Aholainen reference*, Col. 10 line 58 to Col. 11, line 14.

The Aholainen reference does not disclose the system of amended independent claim 25 comprising "a dynamically updated nearby device list of detected devices within the first participating device's immediate environment for maintaining a record of all participating devices detected to be close in physical space and their physical locations within the proximity of the first participating device". Alohainen reference describes a detected icon buffer of non-prohibited detected devices. See, *Aholainen reference*, Col. 5 lines 21 to 30. The detected icon buffer does not maintain a record of the physical location of all participating devices detected to be within the proximity of the first participating device. The Aholainen reference maintains a record of the coordinates of the displayed location of the icon on a screen. See, *Aholainen reference*, Col. 3 line 67 to Col. 4, line 5 and Col. 10 lines 11 to 12.

The Aholainen reference does not disclose a system comprising "a configurable resource regulation mechanism making the first participating device acquire the device specific

application resources from the second participating device, wherein the configurable resource regulation mechanism comprises a user-configurable authorization module for providing each participating device with an authorization status as one of a controlled device and a controlling device and an arbitration mechanism for resolving disputes between devices having an identical authorization status". As described in ¶¶ [0034] to ¶¶ [0036] of the current application a device may acquire features, characteristics, or applications from nearby devices. The Aholainen reference does not explicitly disclose this limitation.

The method of amended independent claim 29 is not disclosed by the Aholainen reference. The Aholainen reference does not describe "a first computing process, a user configures regulation of shared resources between multiple participating devices, wherein each device is capable of communicating directly with all other devices". The method of the current application may be conducted in a peer-to-peer network allowing each device to communicate directly with each other as described in ¶¶ [0058]. The method of the Aholainen reference is conducted in a piconet and requires that a master is determined. See, *Aholainen reference*, Col. 3 lines 44 to 52. Communication between the devices in the Aholainen reference "is directed between the master device and each respective slave device. ... When two slave devices are to communicate with each other, they must do so through the master device." See, *Aholainen reference*, Col. 2 lines 19 to 24. As such, the Aholainen reference does not disclose this limitation.

The Aholainen reference does not describe the method comprising "maintaining, via a second computing process, a list of detected participating devices based on proximity within an immediate environment to a first participating device, wherein proximity within an immediate environment is detected to be close in physical space, and wherein the list of detected

participating devices maintains a record of all devices detected to be close in physical space and their physical locations within the proximity of the first participating device". The Alohainen reference describes a detected icon buffer of non-prohibited detected devices. See, *Aholainen reference*, Col. 5 lines 21 to 30. The detected icon buffer does not maintain a record of the physical location of all participating devices detected to be within the proximity of the first participating device.

The Aholainen reference does not describe "enabling, via a third computing process regulation of device resources based on proximity of a first participating device to a second participating device, wherein regulation includes acquiring device specific application resources of the first participating device by the second participating device based on an authorization status identifying each device as one of a controlling device and a controlled device using an authorization module and resolving disputes between devices having an identical authorization status, and wherein each of the first, second and third computing processes is performed by one or more of the multiple devices". The Aholainen reference does not explicitly disclose this limitation.

As the Aholainen reference fails to describe, either expressly or inherently, each and every element as set forth in amended independent claims 1, 13, 25, and 29 it is respectfully submitted that the Aholainen reference fails to anticipate amended independent claims 1, 13, 25, and 29. Accordingly, withdrawal of the rejection of independent claims 1, 13, 25, and 29 is respectfully requested. Again, independent claims 1, 13, 25, and 29 as amended are believed to be in condition for allowance and such favorable action is respectfully requested.

The dependent claims 2-8, 10-11, 15-19, 22, and 31 further define novel features of the claimed embodiments and each directly or indirectly depend from independent claims 1,

13, 25, and 29. Accordingly, for at least the reasons set forth above with respect to independent claims 1, 13, 25, and 29, the dependent claims are believed to be in condition for allowance by virtue of their dependency and such favorable action is respectfully requested. Withdrawal of the rejection of the dependent claims is respectfully requested.

CONCLUSION

For at least the reasons stated above, claims 1-8, 10-11, 13, 15-19, 22, 25, 29, and 31 are now in condition for allowance. Applicants respectfully request withdrawal of the pending rejections and allowance of the claims. If any issues remain that would prevent issuance of this application, the Examiner is urged to contact the undersigned – 816-474-6550 or jdickman@shb.com (such communication via email is herein expressly granted) – to resolve the same. The Commissioner is hereby authorized to charge any additional amount required, or credit any overpayment, to Account No. 19-2112.

Respectfully submitted,

/JEAN M. DICKMAN/

Jean M. Dickman
Reg. No. 48,538

JMG/MASX/jc
SHOOK, HARDY & BACON L.L.P.
2555 Grand Blvd.
Kansas City, MO 64108-2613
816-474-6550